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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,981	08/24/2001	Bradley J. Anderson	10006905-1	3325

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EXAMINER	
GRANT II, JEROME	

ART UNIT	PAPER NUMBER
2626	4

DATE MAILED: 05/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/938,981	Applicant(s) ANDERSON ET AL.	
	Examiner Jerome Grant II	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 May 2004* .

2a)☐ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8 and 10-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,10-16,19 and 22-31* is/are rejected.

7)☒ Claim(s) *17,18,20, 21 and 32* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

JEROME GRANT II
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☒ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

Detailed Action

1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 and 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Telle.

With respect to claim 1, Telle teaches a scanning system for scanning a medium (7), the system comprising:
a first scanner 13 for detecting the presence or absence of data on medium 7; a second scanner 14 which scans independently of the first scanner and also detects the presence or absence of image data. Both scanners work in a duplex scanning mode where data or the absence thereof is obtained from the first and second sides.

With respect to claims 2 and 8, See the Telle reference where the flow chart on the left side shows that data on both sides of the medium are read simultaneously. Both scanners are activated to read together.

With respect to claims 3-5, 10-12, Telle shows where the first and second scanners look for the presence of data. The absence or presence of data is used to advance the paper through specific paths and to perform the processes according to figure 4a.

With respect to claim 6, see the automatic document feeder 8.

With respect to claim 7, Telle teaches scanning a first side of the medium via scanner 13 including detecting the presence or absence of information on the first side. See also figure 4a. Telle teaches generating first image signal which is interpreted by a logic control means 100. Telle teaches a second scanning means 14 which functions independently of the first scanning means 13 and detects the presence or absence of image data on the second side. Telle teaches that the second scanner generates second data signals which are sent to the logic control means 100.

With respect to claim 13, Telle teaches medium 7 lies between the first and second scanners 13 ad 14, as shown by figure 2.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14 - 16, 19, 22-26, 28-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Koch.

With respect to claim 14, Koch teaches a system for reproducing an image disposed on at least one of a first side and a second side of a medium, the system comprising: a first scanner 40 adapted to scan the first side 20 of the medium 14 and generated a first side data signal; a second scanner 42 adapted to scan the second side 22 of the medium 14 and generate a second side data signal; and a controller 44 adapted to receive the first side data signal and the second side data signal and generate an image reproduction data signal based on the first side data signal and the second side data signal, wherein , if the image is disposed only one the first side of the medium, the first side data signal includes a first image signal (enabled by signal 44) and the second side data signal includes a blank signal (disable signal 56) , wherein the image reproduction data signal includes the first image signal and the blank signal. Scanners 40 and 42

read presence and absence of image data mutually exclusive of each other. See figure 4. Hence, one scanner may read an image while the other scanner reads an absence of image data. Both scanners will input the scanning result to the processor 44 for processing the absence and/or presence of image data.

With respect to claim 15, see col. 7, lines 1-10.

With respect to claim 16, Koch teaches a reproduction unit (described by col. 2, lines 22-30) adapted to receive the image reproduction data signal and reproduce the image based on the image reproduction data signal, wherein the reproduction unit is adapted to reproduce the image based on the first image signal and, in response to the blank signal, discontinue reproduction of the image. Note, image data not detected on one side does not generate an enable signal 44, 54, hence, no reproduction of data will occur without the enable data.

With respect to claim 19, data is detected from the first and second sides of a medium as discussed, col. 6, lines 17-31. See col. 2, lines 22-30 when data detected on both sides of the medium are enabled from scanning and consequently for printing. Image data detected and scanned from both sides of the medium are recorded as described at col. 2, lines 22-30.

With respect to claim 22, Koch teaches an automatic document feeder (onex, motors, solendois, sensor etc, shown by figure 5) adapted to receive the medium 14 and position the medium between the first scanner and the second scanner (see fig. 4).

With respect to claim 23, Koch teaches , Koch teaches a method for reproducing an image disposed on at least one of a first side and a second side of a medium, the method comprising: a first scanner 40 adapted to scan the first side 20 of the medium 14 and generated a first side data signal; a second scanner 42 adapted to scan the second side 22 of the medium 14 and generate a second side data signal; generating an image reproduction data signal based on a first and second side data signal via controller 44 adapted to receive the first side data signal and the second side data signal in order to generate an image reproduction data signal based on the first side data signal and the second side data signal, wherein , if the image is disposed only one the first side of the medium, the first side data signal includes a first image signal (enabled by signal 44) and the second side data signal includes a blank signal (disable

signal 56) , wherein the image reproduction data signal includes the first image signal and the blank signal.

With respect to claim 24, Koch teaches at col. 7, lines 1-10 where the first and second side are simultaneously scanned.

With respect to claim 25, Koch teaches a printer option, lower right portion of figure 5 for printing the first and second image results from the first and second scanner.

With respect to claim 26, Koch teaches printing an image based on a first signal by the first scanner. The first signal is displayed on a CRT shown by figure 5. Inherently if there is no data on the other side of the printed medium, the medium is thereafter conveyed in a conveyance direction shown by figure 4.

With respect to claim 28 Koch teaches data is detected from the first and second sides of a medium as discussed, col. 6, lines 17-31. See col. 2, lines 22-30 when data detected on both sides of the medium are enabled from scanning and consequently for printing. Image data detected and scanned from both sides of the medium are recorded as described at col. 2, lines 22-30.

With respect to claim 29, Koch teaches reproducing the image by means of the printer shown in the lower right of figure 5. Hence, image signals scanned be scanners 40 and 42 will reproduce their respective results to the printer.

With respect to claim 30, Koch teaches a first scanner 40 for reading a first side and a second scanner 42 for reading a second side and a medium 14 which is between the two as shown by figure 4.

With respect to claim 31, Koch teaches first and second scanners 40 and 42. However, these scanners read the results of bubbles 38 to detect if there is the presence of a mark. Scanners 40 and 42 will read both sides of the card 14 to look for marks 38. However, if no marks are present then a blank signal is generated for that side.

2.

Claims Objected

Claims 17, 18, 20, 21, 27 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3.

Examiner's Remarks

Applicant's remarks with respect to claims 1-8 and 10-13 have been considered. Applicant's remarks are persuasive and new art is being applied against the claims.

Applicant's remarks with respect to claims 14-32 have been considered but are unpersuasive since Koch does provide first and second scanners for reading filled in bubbles 38, the absence or presence of data) and using that information to print out a print result to the printer shown in figure 5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 703-305-4391. The examiner can normally be reached on Mon.-Fri. from 9:00 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams, can be reached on703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Grant II

1.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

2.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 305-4391. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

J. Grant II

JEROME GRANT II
PRIMARY EXAMINER